



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/777,732

02/12/2004

Brent Gilbert

418268834US

5621

45979 7590 07/23/2008
PERKINS COIE LLP/MSFT
P. O. BOX 1247
SEATTLE, WA 98111-1247

EXAMINER

PYO, MONICA M

ART UNIT

PAPER NUMBER

2161

MAIL DATE

DELIVERY MODE

07/23/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/777,732	Applicant(s) GILBERT ET AL.	
	Examiner MONICA M. PYO	Art Unit 2161	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 April 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 21-39 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 21-39 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12 February 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 4/23/08 has been entered.
2. Claims 21-39 are currently pending in this application. In the Amendment filed 4/23/2008, claims 21-24 and 30 are amended. Claims 21-39 are rejected.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 21-28, 30 and 36-39 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent Application Publication No. 2003/0140038 by Baker et al. (hereinafter Baker).

Regarding claims 21 and 30, Baker discloses a computer-implemented method of inserting a graphic onto a drawing page of a drawing software module installed on a computer, wherein the drawing software module is configured to access by default a local graphic library that is installed on the computer (Baker: [0048]; fig. 4), the method comprising:

A). maintaining on a local-area network an enterprise graphic library that includes content transferred from a public graphic library accessible via a wide-area network to the enterprise graphic library, as the Local database management stores and manages the data downloaded by the download/upload module (Baker: [0033, 0052]),

B). wherein the enterprise graphic library (i.e., local database) and the public graphic library (i.e. server) are both remote from the computer, as the server and the local database (Baker: [0035]), and

C). wherein the enterprise graphic library and the public graphic library are both separate from the local graphic library (i.e., client computer) the drawing software module is configured to access by default, as the client computer communicates with the server computer (Baker: [0034-0035]);

D). maintaining on the computer the local graphic library, as the Local database management module stores or caches the keyword tree list (Baker: [0052]);

E). configuring by a user the drawing software module to access the enterprise graphic library, the public graphic library, or both in addition to the local graphic library the drawing software module is configured to access by default, as the client computer perform a search in the local database and the server (Baker: [0035]);

F). receiving from the user a search term that describes a desired graphic and a selection of whether to search the local graphic library, a remote graphic library, or both, as the Search module receives search terms from the user and the module searches the local database or the remote server (Baker: [0055]) ;

G). when the user selects to search a remote graphic library, as if the user wishes to search more in depth (Baker: [0056]),

H). if the drawing software module has been configured to access the enterprise graphic library (i.e., collection A), identifying one or more graphics in the enterprise graphic library (i.e., collection B) that match the received search term, as the can have the option of searching any one of the collections (A or B) which the user has subscribed (Baker: [0056]), **and**

I) if the drawing software module has been configured to access the public graphic library, identifying one or more graphics in the public graphic library that match the received search term, as the can have the option of searching any one of the collections (A or B) which the user has subscribed (Baker: [0056]);

J). when the user selects to search the local graphic library, identifying one or more graphics in the local graphic library that match the received search term, as if the user chose to search within the client computer (Baker: [0056]);

K). retrieving from the graphic libraries in which the graphics were identified with the information which associated with each of the identified graphics, as the download/upload module retrieves the representations of the items found by the search (Baker: [0051-0052]);

L). displaying to the user the retrieved metadata (i.e., a short summary of the document contents), as the UI module displays to the user (Baker: [0045 & 0054]);

M). receiving from the user a selection of one of the identified graphics based on the displayed metadata, as the items which are referenced by the found keyword can be retrieved based on an input from the user (Baker: [0046 & 0055])) ;

N). retrieving the selected graphic from the graphic library in which the graphic was identified, as the retrieving process of thumbnail images of the items found and transmitting such images to the user by way of the presentation module and the UI module (Baker: [0055]);

O). inserting the selected graphic onto the drawing page of the drawing software module, as the data received from the remote server is stored in the local computer (Baker: [0059]).

Regarding claim 22, Baker discloses the method wherein the enterprise graphic library is a private graphic library accessible only to a defined set of users and others with authorization (Baker: [0056] – i.e., subscription)

Regarding claim 23, Baker discloses the method wherein an address for each of the graphic libraries is written into a configuration database associated with an operating system of the computer (Baker: [0064]).

Regarding claim 24, Baker discloses the method wherein a wide-area network address written into the configuration database is changed to a local-area network address when the user configures the drawing software module to access the enterprise graphic library on the local-area

Art Unit: 2161

network (Baker:[0039]).

Regarding claims 25 and 38 Baker discloses the method wherein the metadata comprises a representative, abridged image of the graphic (Baker: [0054]).

Regarding claim 26, Baker discloses the method wherein at least one of the selected graphic libraries is located inside a firewall of an enterprise (Baker: [0048]).

Regarding claim 27, Baker discloses the method wherein at least one of the selected graphic libraries is located at an intranet site, and wherein the identifying one or more graphics comprises generating a document associated with the identified graphics and transmitting the document to an active server page of an intranet site (Baker: [0045])

Regarding claim 28, Baker discloses the method wherein the configuring includes storing an address of each graphic library (Baker: [0057 & 0064]).

Regarding claim 36, Baker discloses the computer-readable medium wherein the graphic databases include a private graphic database on a local-area network and a public graphic database on a wide-area network (Baker: [0033-0034]).

Regarding claim 37, Baker discloses the computer-readable medium wherein the information comprises metadata (Baker: [0045]).

Regarding claim 39, Baker discloses the computer-readable medium wherein the metadata includes a textual description of the graphic (Baker: [0045]).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 29, 31, 32 and 33 are rejected under 35 U.S.C. 103(a) as being unpatentable Baker as applied to claims 21-28, 30 and 36-39 above, and further in view of U.S. Patent No. 6,658,598 issued to Sullivan (hereinafter Sullivan).

Regarding claim 29, although Baker discloses its method further comprising changing a stored address to point to a different graphic library by transmitting the search term to the remote server (Baker: [0058]), Baker does not explicitly disclose the method to change a stored address to point to a library.

However, Sullivan discloses: the method further comprising changing a stored address to point to a library (Sullivan: col. 9, lns. 66-col. 10, lns. 17).

It would have been obvious to a person with ordinary skill in the art at the time of invention to modify the teachings of Baker with the teachings of Sullivan to utilize the software registry key setting method with the motivation to enhance the technique to diagnose and address problems online (Sullivan: col. 1, lns. 31-43).

Regarding claim 31, although Baker discloses the computer-readable medium wherein the configuring includes the series of computer instructions to communicate and transmit to a computer system (Baker: [0064]), Baker does not explicitly disclose the configuring includes setting a registry key for each of the graphic databases.

However, Sullivan discloses: the computer-readable medium wherein the configuring includes setting a registry key for each of the databases (Sullivan: col. 9, lns. 66-col. 10, lns. 17).

It would have been obvious to a person with ordinary skill in the art at the time of invention to modify the teachings of Baker with the teachings of Sullivan to utilize the software registry key setting method with the motivation to enhance the technique to diagnose and address problems online (Sullivan: col. 1, lns. 31-43).

Regarding claim 32, Baker and Sullivan disclose the computer-readable further comprising changing a registry key to point to a different graphic database (Baker: [0064]) and (Sullivan: col. 9, lns. 66-col. 10, lns. 17).

Regarding claim 33, Baker and Sullivan disclose the computer-readable medium wherein one of the selected graphic databases is an active server page, and wherein the receiving from the

Art Unit: 2161

user the search term comprises receiving an extensible markup language document that is sent to the active server page (Baker: [00 and (Sullivan: col. 9, lns. 66-col. 10, lns. 17).

7. Claims 34 and 35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Baker as applied to claims 21-28, 30 and 36-39 above, further in view of U.S. Patent No. 7,167,920 issued to Traversat et al. (hereinafter Traversat).

Regarding claim 34, Baker disclose the computer-readable medium wherein the method further comprises receiving the desired graphic, and wherein the inserting comprises downloading the desired graphic (Baker: [0058-0059]).

Baker does not explicitly disclose a uniform resource locator.

However, Traversat discloses a uniform resource locator (Traversat: col. 12, lns. 46-col. 13, lns. 3).

It would have been obvious to a person with ordinary skill in the art at the time of invention to modify the teachings of Baker with the teachings of Traversat to utilize extensible markup language document with the motivation to enhances the searching and retrieving electronic information for users to find (Traversat: col. 2, lns. 4-12).

Art Unit: 2161

Regarding claim 35, Baker and Traversat disclose the computer-readable medium wherein at least one of the graphic databases is located on a private network, and wherein the uniform resource locator locates the desired graphic on a server in the private network (Baker: [0056]) and (Traversat: col. 12, lns. 46-col. 13, lns. 3).

Response to Arguments

8. Applicant's arguments with respect to claim 4/23/2008 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to MONICA M. PYO whose telephone number is (571)272-8192. The examiner can normally be reached on Mon & Thur 7:00 - 3:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Apu Mofiz can be reached on 571-272-4080. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2161

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Monica M Pyo
Examiner
Art Unit 2161

mpyo

/Apu M Mofiz/

Supervisory Patent Examiner, Art Unit 2161